FEB 2 1 2006

KAHE LINGED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alan D. Adams, et al	
Serial No. 10/522/114 Filed: January 24, 2005 For:	Art Unit: 1624 Examiner: Bruck Kifle

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.

__ Date <u>2 - 15 - 06</u>

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

	RELATED AF	RELATED APPLICATION			
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE			
					
If this is inconvenient, additional copies will be submitted upon r	request.				
6. In accordance with 37 C.F.R. 1.97, (check one)					
the attached information is filed within three months of the fi	iling date of the captioned case.				
the attached information is filed more than three months afto Office Action on the merits.	er the filing date but prior to the	mailing of a first			
the attached information is filed before the mailing of a first examination under §1.114.	Office action after the filing of a	request for continued			
the attached information is being filed more than three mont Office Action on the merits, but before the mailing date of a otherwise closes prosecution in the application. The enclos Account No. 13-2755 for the fee required under 37 C.F.R. 1	Final Action, Notice of Allowanc ed authorization is therefore give	e, or an action that			
each item of information contained in this Information Discloration a foreign patent office in a counterpart foreign application Statement.					
each item of information contained in the information disclose a foreign patent office in a counterpart application and this contained in §1.56(c) more than thirty days prior to the filing	communication was not received	by any individual			
no item of information contained in this Information Disclosur foreign patent office in a counterpart foreign application, and after making reasonable inquiry, was known to any individual months prior to the filing of this Statement.	d, to the knowledge of the person	n signing the certification			
	Respectfully submitted,	liato-			
	By: Carol S. Quagliato				
	Attorney For Ap	piicant(s)			
	Reg. No. <u>35,330</u> MERCK & CO., INC.				
	Patent Dept., RY60-30				
	P.O. Box 2000 Rahway, N.J. 07065-090)7			
	(732)594-3809				

Date: February 15, 2006

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Su	bstitute for form 1449A/PTO			COMPLETE IF KNOWN
I	NFORMATION	DISCLOSURE	Application Number	10/522,114
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3	IAIEWENI BY	/ %	First Named Inventor	A. Brian Jones
		FEB 2 1 2006	Group Art Unit	1624
	(use as many sheets	To you want of	Examiner Name	Bruck Kifle
Sheet	1	of 2	Attorney Docket Number	20919YP
				

	U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	1	US 6,008,237		Sahoo, et al.	12/28/1999
	2	US 6,908,934		Adams, et al.	06/21/2005
	3	US 2002/0173663		Liu, et al.	11/21/2002
	4	US 2003/0086923		Sparrow, et al.	05/08/2003
	5	US 2003/125357		Adams, et al.	07/03/2003
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	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Office	Foreign Patent Docume Number	Ent Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	6		WO 01/41704	·	Sparrow, et al.	06/14/2001
	7		WO 03/045382		Adams, et al.	06/05/2003
	8		WO 03/053352		Jones, et al.	07/03/2003

Examiner Signature Date Considered

(use as many sheets as necessary)		COMPLETE IF KNOWN			
	DIS	CLOSURE	Application Number	10/522,114	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	DI ICANT	Filing Date	January 24, 2005		
SIAIEMENI BY	First Named Inventor A. Brian Jones	A. Brian Jones			
		,	Group Art Unit	1624	
(use as many sheets as necessary)		Examiner Name	Bruck Kifle		
2	of	2	Attorney Docket Number	20919YP	
	STATEMENT BY (use as many sheets	INFORMATION DIS	STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number Filing Date First Named Inventor (use as many sheets as necessary) Figure 1449B/PTO Application Number Filing Date First Named Inventor Group Art Unit Examiner Name	

	NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.		
	9	Menke, et al., Endocrinology, "A Novel Liver X Receptor Agonist Establishes Species Differences in the Regulation of Cholesterol 7alpha-Hydroxylase (CYP7a)", 143(7) pp. 2548-2558, July, 2002.		
		,		

Examiner Signature	-	Date Considered	

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

U. S. Patent and Trademark Office: US DEPARTNENT OF COMMERCE
SUBSTITUTE for PTO/SB/17(1/06)"FEE TRANSMITTAL for FY 2006 "Approved for use through 07/31/2006. OMB 0651-0032

(FEB 2 1 2000)			
(3)	Coi	mplete if Known	
Fees pursuan PAGE Descolidated Appropriations Act, 2005 (H.R. 4818)	Application Number	10/522,114	
Fees pursuan CARAGE Desolidated Appropriations Act, 2005 (H.R. 4818)	Filing Date	January 24, 2005	
	First Named Inventor	Alan D. Adams	
FEE TRANSMITTAL	Examiner Name	Bruck Kifle	
	Art Unit	1624	1

TOTAL AMOUNT OF PAYMENT	\$180 Attorney D	ocket Number	20919YP
METHOD OF PAYMENT (check all t	hat apply)		
For the above-identified deposit according to the Charge fee(s) indicated below Credit any overpayments	nt Number 13-2755 Deposit Account unt, the Director is hereby authorized to underpayments of fee(s) under 37 CFR 1	o (check all that apply):	o., Inc.
FEE CALCULATION			
1. BASIC FILING, SEARCH, AND E FILING FE		EXAMINATION F	
Application Type Utility Fee (\$) 300	<u>Fee (\$)</u> 500	<u>Fee (\$)</u> 200	Fees Paid (\$)
Design 200	100	130	
2. EXCESS CLAIM FEES Fee Description Each claim over 20 Each independent claim over 3 Multiple dependent claims Total Claims 20 -20 = Extra Claim	Fee (\$) 50 200 360 ms Fee (\$) Fee Paid (\$) x \$\\$50 = \$0	<u>Multiple De</u> <u>Fee (\$)</u>	ependent Claims Fee Paid (\$)
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4. OTHER FEE(S) Non-English Specification, \$130 fee Other: Information Disclosure States			Fees Paid (\$)
SUBMITTED BY			
	un aviats	eg. 35,330 (umber 35,330)	Telephone 732-594-3809
Name (Print/Type) Carol S. Quagliato	0		Date 02/15/2006